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2822

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Leonard Forbes  
Title: SILICON-GERMANIUM DEVICES FOR CMOS FORMED BY ION IMPLANTATION AND SOLID PHASE EPITAXIAL REGROWTH  
Docket No.: 303.229US2  
Filed: August 11, 1998  
Examiner: Mark V. Prenty  
Serial No.: 09/132,157  
Due Date: May 26, 2002  
Group Art Unit: 2822

Commissioner for Patents  
Washington, D.C. 20231

We are transmitting herewith the following attached items (as indicated with an "X"):

A return postcard.  
 An Amendment and Response (5 Pages).

Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional required fees or credit overpayment to Deposit Account No. 19-0743.

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on this 28th day of May, 2002.

Name

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P.O. Box 2938, Minneapolis, MN 55402 (612-373-6900)

S/N 09/132,157

PATENT

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AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111

Patent and Trademark Office  
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Applicant has reviewed the Office Action mailed on February 26, 2002. Please amend the above-identified patent application as follows.

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on February 26, 2002, and the references cited therewith.

No claims are amended; as a result, claims 11, 13, 14, 24-28,32 and 38-43 remain pending in this application. The Examiner has stated in the pending Office Action that "There is nothing patentable in this application." Applicant respectfully traverses this assertion for the following reasons.

§102/§103 Rejections of the Claims

Claims 11, 14, 24, 25, 28, 32, 38, 40, and 41 were rejected under 35 USC § 102(b) as being anticipated by ,or in the alternative, under 35 USC § 103(a) as obvious over Selvakumar et al. (U.S. Patent No. 5,426,069).

Claims 13, 26, 27, 39, 42, and 43 were rejected under 35 USC § 103(a) as being unpatentable over Selvakumar et al. (U.S. Patent No. 5,426,069) together with Crabbe' et al. (U.S. Patent No. 5,821,577).

Claims 11, 14, 24, 25, 28, 32, 38, 40, and 41 were rejected under 35 USC § 102(b) as being anticipated by ,or in the alternative, under 35 USC § 103(a) as obvious over Nakagawa (U.S. Patent No. 5,272,365).

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